

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

PATRICK BASS and)
JOCELYN BASS,)
Plaintiffs,)
v.) Civil Action No.
M/V STAR ISFJORD, her engines,)
tackle, appurtenances, equipment, etc.,)
in rem,)
Defendant.)

VERIFIED COMPLAINT

Now INTO COURT, through undersigned counsel, come Patrick Bass and Jocelyn Bass (the "Complainants"), which file this Verified Complaint against the M/V STAR ISFJORD, her engines, tackle, appurtenances, equipment, etc., *in rem*, (the "Vessel"), and aver as follows:

JURISDICTION AND VENUE

1.

This is an admiralty and maritime claim within the jurisdiction of the United States and this Honorable Court, pursuant to 28 U.S.C. § 1333 and within the meaning of Federal Rule of Civil Procedure 9(h). This is an action to enforce a maritime lien *in rem* against the Vessel pursuant to Rule C of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure.

2.

Venue is proper in this Honorable Court because the Vessel is located or soon to be located in the Southern District of Texas, more specifically at the Port of Corpus Christi. Upon information

and belief, the Vessel is en route to the Port of Corpus Christi and expected to arrive on or about March 8, 2023 at 01:00 hours.

THE PARTIES

3.

Patrick Bass and Jocelyn Bass are persons of the full age of majority and residents of the State of Mississippi.

4.

Upon information and belief, the M/V STAR ISFJORD is a Norwegian flagged cargo vessel bearing MMSI number 257615000 and IMO number 9182978, owned and/or operated by Grieg Shipping II AS and/or G2 Ocean AS, both Norwegian companies, and was engaged in interstate commerce on the navigable waters of the United States and the territorial waters of the State of Alabama and the State of Texas.

FACTS

5.

Patrick Bass and Jocelyn Bass filed suit against the M/V STAR ISFJORD, *in rem*, Greg Shipping II AS, *in personam*, and G2 Ocean AS, *in personam*, in the United States District Court for the Southern District of Alabama, Civil Action No.: 1:20-cv-00007, for injuries sustained arising out of an accident aboard the Vessel, on or about January 7, 2019, whereas Patrick Bass fell through a concealed manhole. A copy of the Complaint of Damages (R. Doc. 1) and Amended Complaint (R. Doc. 29) are attached *in globo* hereto as **Exhibit 1** and incorporated herein by reference.

6.

This accident caused Patrick Bass to sustain severe and disabling injuries to his body and mind. Further, Jocelyn Bass was caused to lose the consortium, societal love and affection, loss of

aid, services and physical assistance, and the loss of participation together in the activities, duties and responsibilities of making a home with her husband, Patrick Bass.

7.

The M/V STAR ISFJORD, *in rem*, Greg Shipping II AS, *in personam*, and G2 Ocean AS, *in personam*, are liable to Complainants for their acts of negligence and/or gross negligence and/or wanton conduct which directly and proximately caused the accident, as more fully described in **Exhibit 1.**

8.

Specifically, the M/V STAR ISFJORD, *in rem*, is justly and truly indebted to the Complainants as of the filing of this Verified Complaint.

CLAIM

9.

By reason of the foregoing, Complainants are the holder of a maritime claim and lien against the Vessel, *in rem*, in the amount that exceeds the value of the Vessel, exclusive of interests, costs and fees for which the maritime remedies of Arrest and Attachment are available pursuant to Rule C of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure, to enforce the maritime lien of Complainants on the Vessel.

PRAYER

10.

WHEREFORE, the premises and annexed documents considered, Complainants, Patrick Bass and Jocelyn Bass, pray that:

- (a) The United States Marshal of this District arrest the M/V STAR ISFJORD and maintain custody over the Vessel including her engines, bunkers, tackle,

appurtenances, equipment, etc., or by direction entrust such custody to a substitute custodian, until such time as a claimant thereto posts security sufficient in form and amount to secure Complainants' claims;

- (b) Those claiming an interest in the M/V STAR ISFJORD be required to appear and file under oath a claim to the Vessel and answer the allegations of this Verified Complaint;
- (c) After due proceedings be had, Complainants may have a Judgment against the M/V STAR ISFJORD, *in rem*, for their damages as aforesaid, plus prejudgment and post-judgment interest, attorneys' fees, and costs;
- (d) After due proceedings, the M/V STAR ISFJORD be condemned and sold to satisfy the claims asserted herein by Complainants or, alternatively, that Complainants have satisfaction of their claims out of the security, if any, posted to secure the Vessel's release;
- (e) Complainants receive such further and different relief to which they are entitled to and which this Honorable Court may deem proper and just.

Respectfully submitted,

Canales Law Firm, PLLC

/s/ *Hector A. Canales*

Hector A. Canales
State Bar No. 24006951
Federal ID # 29396
2601 Morgan Ave.
Corpus Christi, Texas 78405
T – (361) 883-0601
F – (361) 884-7023
Hector@Canaleslawoffice.com

**Attorney for Complainants, Patrick Bass and
Jocelyn Bass**

PLEASE SERVE:

M/V STAR ISFJORD, *in rem*

Certificate of Service

I certify that on March 6, 2023, a copy of this document was served on all counsel of record using the Court's e-filing system.

/s/ *Hector A. Canales*

Hector A. Canales

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

PATRICK BASS and)
JOCELYN BASS,)
)
Plaintiffs,)
)
v.) Civil Action No.
)
M/V STAR ISFJORD, her engines,)
tackle, appurtenances, equipment, etc.,)
in rem,)
)
Defendant.)

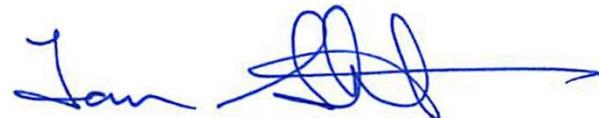
VERIFICATION AND DECLARATION OF THOMAS W. SHLOSMAN

Pursuant to 28 U.S.C. § 1746, Thomas W. Shlosman, legal counsel and duly authorized representative of Complainants, Patrick Bass and Jocelyn Bass, declares under penalty of perjury as follows:

1. My name is Thomas W. Shlosman, and I am over the age of 21, of sound mind, and have never been convicted of a felony.
2. I am authorized by my clients, Patrick Bass and Jocelyn Bass, to make this declaration on their behalf.
3. In my capacity as counsel and duly authorized representative of Patrick Bass and Jocelyn Bass, I have knowledge of the facts and circumstances stated in the Verified Complaint, which copied herein, *in extenso*, to this declaration.
4. I have read the attached Verified Complaint, know the contents thereof, and believe the same to be true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the above statements are true, correct, and complete to the best of my knowledge, information, and belief.

Executed on the 6th day of March, 2023 in New Orleans, Louisiana.



Thomas W. Shlosman